

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re Subpoena Issued to
PRICEWATERHOUSECOOPERS LLP,**

for the Action Entitled *In re Organogenesis, Inc. Securities Litigation*, Civil Action No. 1:04CV10027-JLT, Pending in the United States District Court for the District of Massachusetts.

Miscellaneous Action No:
M8-85

MEMO ENDORSED

**PETITIONERS' NOTICE OF MOTION AND MOTION
TO COMPEL THIRD PARTY PRICEWATERHOUSECOOPERS LLP
TO COMPLY WITH *SUBPOENA DUCES TECUM***

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the
Declaration of Peter Sloane, executed on February 16, 2007, and the exhibits attached thereto,
Petitioners, by their counsel, will move this Court, before the Part I Judge sitting at the U.S.
Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007,
on Tuesday, March 6, 2007, at 11:00 A.M., for an Order pursuant to Rule 37 of the Federal Rules
of Civil Procedure (a) compelling PricewaterhouseCoopers LLP ("PwC") to produce all
documents responsive to the Subpoena within 7 days at PwC's offices in New York City (or such
other location as the parties may mutually agree); (b) compelling PwC to produce immediately
all transcripts of depositions and documents previously produced in the action entitled *Bricoleur*
Capital Management, et al., v. Organogenesis, Inc., et al., Case No. GIC 792828 (Cal. Sup. Ct.)
that are in PwC's possession; (c) directing that Petitioners shall pay the reasonable costs of

copying and snipping the responsive documents to Petitioners, but shall otherwise not be
Motion transferred to Judge Tauro, District of Massachusetts.
For oral opinion, see record of proceedings; I agree with the opinion
of my distinguished colleague Judge Height in *Stanziale v. Pepper*
Hamilton L.L.C.P., 2007 U.S. Dist. LEXIS 11320 (S.D. N.Y. Feb. 8, 2007).
So ordered.
March 6, 2007
Miriam Goldman Cedarbaum,
United States District Judge